

**NOTICE OF RULEMAKING DOCKET OPENING**  
**DEPARTMENT OF HEALTH SERVICES**  
**HEALTH CARE INSTITUTIONS: LICENSING**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services  
Health Care Institutions: Licensing  
**Article and its heading:** Article 1, General  
**Section numbers:** R9-10-113 and R9-10-114 (The Department may add, delete, or modify Sections as necessary.)

**2. The subject matter of the proposed rules:**

In 2003 the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services permitted nursing homes to use paid feeding assistants in states with state-approved training programs. 68 FR 55528, September 26, 2003. The use of paid feeding assistants must meet the applicable requirements in 42 CFR 483.35, 42 CFR 483.75, and 42 CFR 483.160, and the definition of "paid feeding assistant" in 42 CFR 488.301.

In 2004 the Arizona Legislature enacted House Bill 2345, which was approved by the Governor and codified at A.R.S. § 36-413. This statute authorizes the Arizona Department of Health Services (Department) to make administrative rules setting standards for nutrition and feeding assistants training programs. The statute also authorizes the Department to regulate nutrition and feeding assistants training programs.

The Department is proceeding with rulemaking for nutrition and feeding assistants training programs at R9-10-113 and R9-10-114. The Department may add, delete, or modify Sections as necessary.

**The agency docket number:**

RE-015-07

**3. A citation to all published notices relating to the proceeding:**

Notice of Rulemaking Docket Opening: 11 A.A.R. 2750, July 22, 2005

**4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Sylvia Balistreri, Program Manager  
Address: Arizona Department of Health Services  
Division of Licensing Services

Office of Long-term Care Licensing  
150 N. 18th Avenue, 4th Floor  
Phoenix, AZ 85007

Telephone: (602) 364-2675  
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Or

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel  
Address: Arizona Department of Health Services  
Office of Administrative Rules and Counsel  
1740 W. Adams, Room 200  
Phoenix, AZ 85007

Telephone: (602) 542-1264  
Fax: (602) 364-1150  
E-mail: phillik@azdhs.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced